UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRACY AUGUST, #714643,

                    Plaintiff,   Civil Action No. 12-13775
                                               Honorable Patrick J. Duggan
v.   Magistrate Judge David R. Grand

PATRICIA CARUSO, *et al.*,

                    Defendants.
_____/

ORDER DENYING AS MOOT
THE MDOC DEFENDANTS' MOTION TO STAY DISCOVERY [41]

On August 22, 2013, Defendants Felicia Ratliff, Tamika Woods Hawkins, Lana McCarthy, and Katherine Hammons (collectively the "MDOC Defendants") filed a Motion to Stay Discovery (Doc. #41) pending resolution of their previously-filed Motion for Summary Judgment (Doc. #24). The MDOC Defendants' Motion to Stay Discovery, a non-dispositive motion, is before the Court for an order pursuant to 28 U.S.C. §636(b)(1)(A).

As explained in this Court's September 19, 2013 Report and Recommendation to Grant the MDOC Defendants' Motion for Summary Judgment, the Court is recommending that summary judgment be granted in favor of the MDOC Defendants on all of the claims brought against them by Plaintiff Tracy August. *See* Doc. #45. Accordingly, the MDOC Defendants' motion to stay discovery is moot.

For the foregoing reasons, the Court **DENIES** the MDOC Defendants' Motion to Stay Discovery (Doc. #41) as **MOOT**.

      IT IS SO ORDERED.

Dated: September 19, 2013   s/David R. Grand
Ann Arbor, Michigan   DAVID R. GRAND
                                        United States Magistrate Judge

NOTICE TO PARTIES REGARDING OBJECTIONS

The parties' attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of

fourteen (14) days from the date of receipt of a copy of this order within which to file objections

for consideration by the district judge under 28 U.S. C. §636(b)(1).

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record
and any unrepresented parties via the Court's ECF System to their respective email or First Class
U.S. mail addresses disclosed on the Notice of Electronic Filing on September 19, 2013.

s/Deborah J. Goltz for Felicia M. Moses
FELICIA M. MOSES
Case Manager

2